

Order

**Supreme Court
Lansing, Michigan**

September 28, 2005

Clifford W. Taylor,
Chief Justice

128378

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128378
COA: 248708
Antrim CC: 02-003617-FH

DENNIS LEE PAYNE,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 24, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.



d0919

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 28, 2005

Corbin R. Davis

Clerk